



## Centers for Disease Control & Prevention **HALTS EVICTIONS UNTIL 2021**

The Centers for Disease Control & Prevention (CDC) executed an [order](#) on September 4, 2020 prohibiting landlords, property owners, or other persons with a legal right to pursue eviction from taking any action to remove qualified tenants from their residence until after December 31, 2020. The Order applies only to residential property and does not cover commercial property.

The Order does not relieve the tenant of any obligation to pay rent, make a housing payment, or comply with any other obligation that the individual may have under a tenancy, lease, or similar contract. The Order also does not prohibit a landlord or property owner from the charging or collecting of fees, penalties, or interest as a result of the failure to pay rent or other housing payment on a timely basis, under the terms of any applicable contract. Evictions still may be filed for reasons other than non-payment of rent, including engaging in criminal activity on the property, threatening the health or safety of other residents, damaging the property, violating health and building codes, or violating any other lease requirement not related to paying rent.

To be eligible for protection, every adult tenant on a lease must prepare a [Declaration Form](#), or similar document under penalty of perjury, to prevent an eviction from occurring. This form can be provided directly to the landlord or property owner during the time the rent payment is due or at such time the tenant receives notice that an eviction complaint was filed with a court.

Through the [Declaration Form](#), the tenant affirms each of the following:

1. They have used best efforts to obtain government assistance for rent or housing;
2. At least one of the following requirements applies to them:
  - a. Expect to earn no more than \$99,000 in annual income for Calendar Year 2020 (or no more than \$198,000 if filing a joint tax return), **or**
  - b. Were not required to report any income in 2019 to the U.S. Internal Revenue Service, **or**
  - c. Received an Economic Impact Payment (stimulus check) pursuant to Section 2201 of the CARES Act;
3. They are unable to make full rent payment due to substantial loss of household income, loss of compensable hours of work or wages, a lay-off, or extraordinary out-of-pocket medical expenses;
4. They are using best efforts to make payments as close to full payments as possible; and

5. Eviction likely would render them homeless or force them to move into and live in close quarters in new congregate or shared living setting because no other housing options are available.

Renters with questions about the CDC order or Declaration Form may find additional information at the [Ohio Legal Help](#) website or should contact an attorney.

Under [18 U.S.C. 3559](#); [3571](#); [42 U.S.C. 271](#); and [42 C.E.R. 70.18](#), a person violating this Order may be subject to a fine of no more than \$100,000 if the violation does not result in a death or one year in jail, or both, or a fine of no more than \$250,000 if the violation results in a death or one year in jail, or both, or as otherwise provided by law. An organization violating this Order may be subject to a fine of no more than \$200,000 per event if the violation does not result in a death or \$500,000 per event if the violation results in a death or as otherwise provided by law. The U.S. Department of Justice may initiate court proceedings, as appropriate, seeking imposition of these criminal penalties.

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- 1 “Residential property” means any property leased for residential purposes, including any house, building, mobile home or land in a mobile home park, or similar dwelling leased for residential purposes.